

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Deborah S. Hunt
Clerk

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Filed: March 10, 2021

Mr. Corey James Cribbs II
U.S.P. Big Sandy
P.O. Box 2068
Inez, KY 41224

Vito Salvatore Solitro
Office of the U.S. Attorney
Department of Justice
P.O. Box 208
Grand Rapids, MI 49501

Re: Case No. 19-2078, *USA v. Corey Cribbs, II*
Originating Case No. : 1:18-cr-00060-1

Dear Sir or Madam,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/C. Anthony Milton
Case Manager
Direct Dial No. 513-564-7026

cc: Mr. Thomas Dorwin

Enclosure

No. 19-2078

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**FILED**
Mar 10, 2021
DEBORAH S. HUNT, Clerk

UNITED STATES OF AMERICA,)
)
 Plaintiff-Appellee,)
)
 v.)
)
 COREY JAMES CRIBBS, II, aka Akil McKinney,)
)
 Defendant-Appellant.)

ORDER

Before: COOK, Circuit Judge.

Corey James Cribbs II appeals the district court's judgment following his guilty plea to conspiracy to distribute and possess with intent to distribute methamphetamine. He moves for leave to proceed *in forma pauperis* and has filed a supporting financial affidavit. *See* 28 U.S.C. § 1915; Fed. R. App. P. 24(a)(5). Cribbs also moves for appointment of counsel. *See* 18 U.S.C. § 3006A. Under Federal Rule of Appellate Procedure 27(c), a single judge may rule on the motions.

An applicant seeking to proceed *in forma pauperis* need not establish that he is "absolutely destitute." *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948). Cribbs's financial affidavit supports the conclusion that payment of the appellate costs would cause him "undue hardship." *Foster v. Cuyahoga Dep't of Health & Human Servs.*, 21 F. App'x 239, 240 (6th Cir. 2001) (citing *Sears, Roebuck & Co. v. Charles W. Sears Real Estate, Inc.*, 865 F.2d 22, 23 (2d Cir. 1988)).

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Accordingly, the motion to proceed *in forma pauperis* is **GRANTED** and the motion for appointment of counsel is also **GRANTED**. The Clerk is directed to appoint counsel for Cribbs and to issue a briefing schedule once counsel is appointed.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk